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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,497	11/26/2003	David D. Bettinger	244917US8	6227

22850 7590 12/15/2006

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EXAMINER

LEE, JOHN J

ART UNIT PAPER NUMBER

2618

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/721,497	Applicant(s) BETTINGER ET AL.	
	Examiner JOHN J. LEE	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-29 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/24/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Ex parte Quayle

1. This application is in condition for allowance except for the following formal matters:

Drawings

Figure 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1, 13, 23, 28, and 29 are objected to because of the following informalities: the limitation "each user node immediately" should be changed to "the each user node immediately", as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Appropriate correction is required.

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Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: claims 1 – 29 are allowable over the prior art of record because none of the prior art of record teaches the combined claimed elements as set forth in the claims 1 – 29.

None of the prior art of record teaches or fairly suggests that a synchronous communication method comprises transmitting a first frame including a first control information to each user node and transmitting a first respective data burst in a first frame period from each of user nodes according to the first information, start of the first frame time period simultaneously, and transmitting a second frame, including a second control information, the each user node immediately following the first frame, and transmitting a second respective data burst in a second frame time period time according to the second control information, a start of second frame time period occurring at a hub simultaneously, and the second respective data burst in the second frame time period is received immediately following the first respective data burst in the first frame time period, and together with combination of other claimed elements as set forth in the independent claims 1, 13, 23, 28, and 29. Therefore, the claims 1 – 29 are allowable over the prior art of records.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Saburi (US Patent number 4,688,216) discloses Station Relief Arrangement for use in Relieving Operation of a Reference Station in a TDMA Network without Reduction of Frame Availability.

Garrison et al. (US Patent number 5,910,945) discloses Synchronizing Communications in a Satellite Based Telecommunications System.

Solve et al. (US Patent number 6,353,645) discloses Fast Terminal Synchronization in a Wireless Communication System.

Beidas et al. (US Patent number 7,042,854) discloses Acquiring a Synchronization Signal.

Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks
Washington, D.C. 20231
Or P.O. Box 1450
Alexandria VA 22313

or faxed (571) 273-8300, (for formal communications intended for entry)

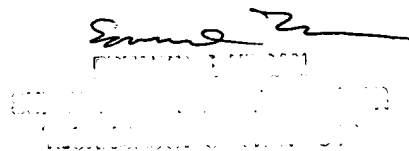
Or: (703) 308-6606 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to USPTO Headquarters,
Alexandria, VA.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**.
He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00
pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor,
Edward Urban, can be reached on **(571) 272-7899**. Any inquiry of a general nature or
relating to the status of this application should be directed to the Group receptionist
whose telephone number is (703) 305-4700.

J.L
December 8, 2006

John J Lee



Handwritten signature of John J. Lee and a circular official stamp of the USPTO Alexandria office.